

or less, and wherein a distribution of particulate wax having an average particle diameter of 0.01 μm or more throughout the toner satisfies the following equation:

$$(A/B)/(C/D) \leq 0.1$$

wherein A is total area of particulate wax contained in an outermost layer of the toner to a depth of 0.1 μm .

B is total area of said outermost layer of the toner;

C is total area of particulate wax contained in a remainder of the toner (at a depth of greater than 0.1 μm from the surface of the toner); and

D is total area of said remainder of the toner,

wherein all areas are measured as observed in a cross section of said toner through a center point of said toner.

28. (Amended) The toner as claimed in claim 27, wherein at a depth of 0.1-1 μm from the surface of the toner, the particulate wax having a particle diameter of 0.01 μm or more is present.

DISCUSSION OF THE AMENDMENT

The specification has been amended by conforming it to the recital of the alkyl group for R¹ and R² in Claim 37, and by correcting a typographical error in a heading.

Claim 27 has been amended to achieve consistency among claim terms. Claim 28 has been amended to clarify that the particulate wax recited therein refers to the particulate wax recited in Claim 27.

No new matter has been added by the above amendment. Claims 27-30, 32, 34, 37, 38, 40, 42 and 44 remain active in the application. Claims 1-26, 31, 33, 35, 36, 39, 41, 43 and 45-56 stand withdrawn from consideration.